

# COMMITTEE REPORT

## MADAM PRESIDENT:

The Senate Committee on Elections, to which was referred Senate Bill No. 452, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1           Page 2, between lines 14 and 15, begin a new paragraph and insert:
- 2           "SECTION 3. IC 3-5-2-1.7 IS AMENDED TO READ AS
- 3           FOLLOWS[ [EFFECTIVE JULY 1, 2009]: Sec. 1.7. "Active voter"
- 4           refers to a voter who satisfies ~~either~~ **both** of the following:
- 5               (1) The voter has registered or voted in any election during the
- 6               preceding four (4) years at the address indicated on the voter's
- 7               registration record on the computerized list maintained under
- 8               **IC 3-7-26.3 indicates that the voter is a legally registered**
- 9               **voter.**
- 10            (2) The voter has not voted in any election during the preceding
- 11            four (4) years at the address indicated on the voter's registration
- 12            record and has responded in writing to an address confirmation
- 13            notice sent under ~~IC 3-7~~ not later than thirty (30) days after the
- 14            notice was sent: **not been identified on the computerized list**
- 15            **maintained under IC 3-7-26.3 as inactive or canceled in**
- 16            **accordance with federal or state law."**
- 17            Page 5, line 13, delete "who is".
- 18            Page 5, line 13, delete "2008" and insert "**2006**".
- 19            Page 5, line 15, delete "2012" and insert "**2010**".

- 1 Page 5, line 16, delete "2013." and insert "**2011.**".
- 2 Page 5, line 18, delete "who is".
- 3 Page 5, line 18, delete "2010" and insert "**2008**".
- 4 Page 5, line 20, delete "2014" and insert "**2012**".
- 5 Page 5, line 21, delete "2015." and insert "**2013.**".
- 6 Page 5, line 22, delete "2015." and insert "**2013.**".
- 7 Page 30, between lines 8 and 9, begin a new line block indented and
- 8 insert:
- 9 **"(5) City offices:**
- 10 **(A) Mayor.**
- 11 **(B) Clerk or clerk-treasurer.**
- 12 **(C) Judge of the city court.**
- 13 **(D) City-county council member or common council**
- 14 **member."**
- 15 Page 30, line 9, strike "(5)" and insert "**(6)**".
- 16 Page 30, strike lines 16 through 17.
- 17 Page 30, line 19, delete "(B)".
- 18 Page 30, line 19, strike "Judge of the city court."
- 19 Page 30, line 20, delete "(C)".
- 20 Page 30, line 20, strike "City-county council member or common
- 21 council".
- 22 Page 30, strike line 21.
- 23 Page 32, line 26, delete "An ordinance adopted under this section
- 24 does not".
- 25 Page 32, delete line 27.
- 26 Page 32, line 28, delete "(b)".
- 27 Page 32, run in lines 26 through 28.
- 28 Page 32, line 30, delete "municipal offices named in the ordinance"
- 29 and insert "**fifty percent (50%) of the legislative body**".
- 30 Page 32, line 32, delete "(c)" and insert "**(b)**".
- 31 Page 32, delete lines 36 through 37.
- 32 Page 32, line 38, delete "(3)" and insert "**(2)**".
- 33 Page 32, line 39, delete "a municipal office named in the
- 34 ordinance;" and insert "**the legislative body;**".
- 35 Page 32, line 40, delete "for the municipal office".
- 36 Page 33, line 2, delete "(4)" and insert "**(3)**".
- 37 Page 33, line 3, delete "(3)" and insert "**(2)**".
- 38 Page 33, line 39, delete "IC 3-8-5-13." and insert "**IC 3-8-7-10.**".

Page 38, between lines 15 and 16, begin a new paragraph and insert:  
"SECTION 75. IC 3-11-2-12, AS AMENDED BY P.L.146-2008,  
SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
JULY 1, 2009]: Sec. 12. The following offices shall be placed on the  
general election ballot in the following order:

(1) Federal and state offices:

(A) President and Vice President of the United States.

(B) United States Senator.

(C) Governor and lieutenant governor.

(D) Secretary of state.

(E) Auditor of state.

(F) Treasurer of state.

(G) Attorney general.

(H) Superintendent of public instruction.

(I) United States Representative.

(2) Legislative offices:

(A) State senator.

(B) State representative.

(3) Circuit offices and county judicial offices:

(A) Judge of the circuit court, and unless otherwise specified  
under IC 33, with each division separate if there is more than  
one (1) judge of the circuit court.

(B) Judge of the superior court, and unless otherwise specified  
under IC 33, with each division separate if there is more than  
one (1) judge of the superior court.

(C) Judge of the probate court.

(D) Judge of the county court, with each division separate, as  
required by IC 33-30-3-3.

(E) Prosecuting attorney.

(F) Clerk of the circuit court.

(4) County offices:

(A) County auditor.

(B) County recorder.

(C) County treasurer.

(D) County sheriff.

(E) County coroner.

(F) County surveyor.

(G) County assessor.

- 1 (H) County commissioner.  
 2 (I) County council member.  
 3 **(5) City offices:**  
 4 **(A) Mayor.**  
 5 **(B) Clerk or clerk-treasurer.**  
 6 **(C) Judge of the city court.**  
 7 **(D) City-county council member or common council**  
 8 **member.**  
 9 ~~(5)~~ **(6) Township offices:**  
 10 (A) Township assessor (only in a township referred to in  
 11 IC 36-6-5-1(d)).  
 12 (B) Township trustee.  
 13 (C) Township board member.  
 14 (D) Judge of the small claims court.  
 15 (E) Constable of the small claims court.  
 16 ~~(6) City offices:~~  
 17 ~~(A) Mayor.~~  
 18 ~~(B) Clerk or clerk-treasurer.~~  
 19 ~~(C) Judge of the city court.~~  
 20 ~~(D) City-county council member or common council member.~~  
 21 **(7) Town offices:**  
 22 (A) Clerk-treasurer.  
 23 (B) Judge of the town court.  
 24 (C) Town council member."  
 25 Page 41, line 22, delete "record the fact that a voter has voted." and  
 26 insert **"obtain access to the electronic poll list."**  
 27 Page 48, line 4, delete "recording the fact that a voter has voted" and  
 28 insert **"access to an electronic poll list"**.  
 29 Page 50, line 15, strike "must be capable of capturing" and insert  
 30 **"may include"**.  
 31 Page 50, line 16, strike "on the list;" and insert **"taken from the**  
 32 **voter's registration application, if available;"**.  
 33 Page 50, between lines 24 and 25, begin a new paragraph and insert:  
 34 "SECTION 102. IC 3-11-18-16, AS ADDED BY P.L.164-2006,  
 35 SECTION 119, IS AMENDED TO READ AS FOLLOWS  
 36 [EFFECTIVE JULY 1, 2009]: Sec. 16. The precinct election board  
 37 administering an election at a vote center shall keep the ballots cast in  
 38 each precinct separate from the ballots cast in any other precinct whose

election is administered at the vote center, so that the votes cast for each candidate and on each public question in each of the precincts administered by the board may be determined **and included on the statement required by IC 3-12-4-9."**

Page 80, reset in roman lines 28 through 29.

Page 90, delete lines 38 through 42.

Delete page 91.

Page 92, delete lines 1 through 21, begin a new paragraph and insert:

"SECTION 158. IC 36-4-10-4.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4.5. (a) This section applies to third class cities.

(b) The fiscal officer is the head of the city department of finance. The fiscal officer shall do the following:

(1) Receive and care for all city money and pay the money out only on order of the approving body.

(2) Keep accounts showing when and from what sources the fiscal officer has received city money and when and to whom the fiscal officer has paid out city money.

(3) Prescribe payroll and account forms for all city offices.

(4) Prescribe the manner in which creditors, officers, and employees shall be paid.

(5) Manage the finances and accounts of the city and make investments of city money.

(6) Prepare for the legislative body the budget estimates of miscellaneous revenue, financial statements, and the proposed tax rate.

(7) Issue all licenses authorized by statute and collect the fees fixed by ordinance.

(8) Serve as clerk of the board of public works by attending meetings, preparing agendas, and recording proceedings.

(9) Perform all other duties prescribed by statute.

(c) A fiscal officer is not liable in an individual capacity for an act or omission occurring in connection with the performance of the duties prescribed by subsection (b), unless the act or omission constitutes gross negligence or an intentional disregard of the fiscal officer's duties.

**(d) A fiscal officer shall attend training provided by the state**

1       **board of accounts concerning the duties and responsibilities of a**  
2       **fiscal officer of a third class city."**

3       Page 100, delete line 32.

4       Page 100, delete line 41.

5       Page 103, line 30, delete "IC 3-8-1-28;".

6       Page 103, line 31, delete "IC 3-13-8-6;".

7       Page 103, line 32, delete "IC 3-13-8-9;".

8       Renumber all SECTIONS consecutively.  
(Reference is to SB 452 as introduced.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 8, Nays 3.

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**Landske**

**Chairperson**